

REMARKS

With respect to the objection independent claim 1, Applicants amend this claim, as indicated herein, and Applicants believe that this amendment would obviate the objection to claim 1.

Claims 1-5 are all the claims pending in the present application.¹ Applicants thank the Examiner for indicating that claims 2 and 3 contain allowable subject matter, and would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and to include the limitations of the base claim and any intervening claims. Claims 1, 4 and 5 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Cloutier (U.S. Patent No. 5,790,543).

With respect to independent claim 1, Applicants submit Cloutier does not disclose or suggest at least, “wherein said method of correcting a Program Clock Reference comprises calculating a distance (d) between a real position of a packet (a12) and an estimated position of said packet,” as recited in claim 1. As the Examiner states, Cloutier discloses that a jitter value is calculated as the difference between an actual interarrival time and the expected arrival time. However, nowhere does Cloutier disclose or suggest the specific claim language that the program clock reference correction is calculated based on a distance between a real position of a packet and an estimated position of a packet. That is, the claimed calculation that is based on the specific claimed positional relationship is not disclosed or suggested in Cloutier.

¹ Claim 1 is amended to overcome the objection to this claim and for clarification purposes. Claims 2 and 5 are amended, as indicated herein, for clarification purposes.

Further, Applicants submit that Cloutier does not disclose or suggest at least, “the estimated position being that which said packet (a12) would occupy if the downlink had not been compressed in a modulation and compression stage.” The Examiner does not even cite a portion of Cloutier that allegedly corresponds to this particular limitation recitation. Moreover, Cloutier does not even discuss the position of a packet if a downlink has not been compressed in a modulation and compression stage.

At least based on the foregoing, Applicants submit that independent claim 1 is patentably distinguishable over Cloutier.

With respect to dependent claims 4 and 5, Applicants submit that these claims are patentable at least by virtue of their dependency from independent claim 1.

Further, with respect to claim 4, Applicants submit that Cloutier does not disclose or suggest that a transmission is carried out in MPEG2 transport streams in TDMA format. Nowhere does Cloutier even discuss the claimed TDMA format.

At least based on the foregoing, Applicants submit that claims 1, 4 and 5 are patentably distinguishable over Cloutier.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/022,891

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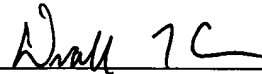
Respectfully submitted,

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